

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
v.) CASE NO. 1:12-CV-2296-TCB
AUBREY LEE PRICE *et al.*,)
)
Defendants.)

**JOINT MOTION OF PFG RECEIVER AND FDIC-R
FOR SECOND EXTENSION OF THE DEADLINE FOR RESPONSE
TO PFG RECEIVER'S MOTION TO APPROVE SALE OF LONGBOAT
KEY PROPERTY WITH ANY AND ALL LIENS ATTACHING TO SALE
PROCEEDS TO BE HELD IN ESCROW PENDING RESOLUTION OF
ALL LIEN CLAIMS**

Appointed receiver Melanie Damian (“PFG Receiver”) and Federal Deposit Insurance Corporation as Receiver of Montgomery Bank & Trust (“FDIC-R”) (collectively, the “Parties”) jointly move for a limited extension of the deadline to file a response to PFG Receiver’s Motion to Approve Sale of Longboat Key Property with Any and All Liens Attaching to Sale Proceeds to be Held in Escrow Pending Resolution of All Lien Claims (the “Sale Motion”). [Dkt. No. 96.] In support of their joint motion, the Parties show the Court as follows:

1. On August 12, 2013, PFG Receiver filed the Sale Motion, seeking approval of this Court to sell certain real property located in Longboat Key, Florida

and for other relief that FDIC-R contends will affect its rights. [Dkt. No. 96.]

2. It is FDIC-R's position that the Longboat Key property secures a note held by FDIC-R, is subject to a mortgage granted by PFG, LLC to Montgomery Bank & Trust, and that both the note and the mortgage are assets of FDIC-R.

3. FDIC-R disputes that PFG Receiver is entitled to the relief she seeks in her Sale Motion.

4. The Parties held a face-to-face meeting on August 28, 2013 to address various issues and disputes between them, including those issues raised in PFG Receiver's Sale Motion. Since that meeting the parties have been engaging in further discussions regarding those issues and disputes.

5. The Court previously granted an extension to allow the Parties to conduct discussions regarding the issues raised in PFG Receiver's Sale Motion. [Dkt. No. 100.] To allow time for the Parties to continue to address those issues and to determine whether any agreed resolution can be achieved, the Parties respectfully request that the Court further extend the time for FDIC-R to respond to PFG Receiver's Sale Motion [Dkt. No. 96] up to and including October 30, 2013, and that the Court not rule on PFG Receiver's Sale Motion until after that date.

Respectfully submitted this 23rd day of September, 2013.

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**CERTIFICATE OF SERVICE AND
COMPLIANCE WITH LOCAL RULE 5.1**

I hereby certify that on the 23rd day of September, 2013, I electronically filed the foregoing, which has been prepared using 14-point Times New Roman font, with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

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I further certify that I have served the foregoing by First Class U.S. Mail in an envelope with adequate postage affixed thereto upon the following:

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